

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>Christopher J. Langley (SBN 258851) Shioda, Langley and Chang, LLP 1063 E. Las Tunas Dr. San Gabriel, CA 91776 Telephone: (951) 383-3388 Fax: (877) 483-4434 chris@slclawoffice.com</p> <p><input type="checkbox"/> <i>Movant(s) appearing without an attorney</i> <input checked="" type="checkbox"/> <i>Attorney for Movant(s)</i></p>		<p>FOR COURT USE ONLY</p>	
<p>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION</p>			
<p>In re:</p> <p>Arvin Peter Mani</p> <p>Debtor(s).</p>		<p>CASE NO.: 8:22-bk-12093-TA</p> <p>CHAPTER: 13</p>	
		<p>DECLARATION THAT NO PARTY REQUESTED A HEARING ON MOTION LBR 9013-1(o)(3)</p>	
		<p>[No Hearing Required]</p>	

1. I am the ☐ Movant(s) or ☒ attorney for Movant(s) or ☐ employed by attorney for Movant(s).
2. On (date): 05/02/2023 Movant(s) filed a motion or application (Motion) entitled: Application of Attorney for Debtor for Allowance of Fees and Expenses following Dismissal or Conversion of Ch. 13 Case Subject to RARA
3. A copy of the Motion and notice of motion is attached to this declaration.
4. On (date): 05/02/2023 Movant(s), served a copy of ☐ the notice of motion or ☒ the Motion and notice of motion on required parties using the method(s) identified on the Proof of Service of the notice of motion.
5. Pursuant to LBR 9013-1(o), the notice of motion provides that the deadline to file and serve a written response and request for a hearing is 14 days after the date of service of the notice of motion, plus 3 additional days if served by mail, or pursuant to F.R.Civ.P. 5(b)(2)(D) or (F).
6. More than 17 days have passed after Movant(s) served the notice of motion.
7. I checked the docket for this bankruptcy case and/or adversary proceeding, and no response and request for hearing was timely filed.
8. No response and request for hearing was timely served on Movant(s) via Notice of Electronic Filing, or at the street address, email address, or facsimile number specified in the notice of motion.

9. Based on the foregoing, and pursuant to LBR 9013-1(o), a hearing is not required.

Movant(s) requests that the court grant the motion and enter an order without a hearing.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Date: 05/19/2023

/s/ Christopher J. Langley
Signature

Christopher J. Langley
Printed name

ATTACHMENT

Attorney Name, Address, Telephone & FAX Numbers, State Bar Number & Email Address Christopher J. Langley (SBN 258851) Shioda, Langley and Chang, LLP 1063 E. Las Tunas Dr. San Gabriel, CA 91776 Telephone: (951) 383-3388 Fax: (877) 483-4434 chris@slclawoffice.com	FOR COURT USE ONLY
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION	
In re: Arvin Peter Mani	CASE NUMBER: 8:22-bk-12093-TA CHAPTER 13
Debtor(s).	APPLICATION OF ATTORNEY FOR DEBTOR FOR ALLOWANCE OF FEES AND EXPENSES FOLLOWING DISMISSAL OR CONVERSION OF CHAPTER 13 CASE SUBJECT TO A RIGHTS AND RESPONSIBILITIES AGREEMENT (RARA) [11 U.S.C. § 330(a)(4)(B); LBR 3015-1(q)(6)]

TO DEBTOR, CHAPTER 13 TRUSTEE, AND PARTIES IN INTEREST:

- 1. Rights and Responsibilities Agreement.** The undersigned Attorney and Debtor are parties to a Rights and Responsibilities Agreement (RARA) filed as docket number 2.
- 2. RARA Fee Agreement** Pursuant to the RARA, Debtor agreed to pay Attorney (i) a flat fee of \$ 5,000.00 for those services identified in boldface type in the RARA (Basic Services) and (ii) an hourly fee of \$ 500.00 per hour, or a reasonable flat fee, for services other than the Basic Services (Additional Services).

(If the RARA contains any other or different provisions regarding fees for Additional Services, Attorney must (i) check this box ☐ and (ii) attach an addendum providing the details.)

- 3. Request for Fees.** Pursuant to 11 U.S.C. § 330(a)(4)(B) and LBR 3015-1(v)(2), Attorney requests allowance and payment of the following:

Fees Requested	\$ <u>540.00</u>
Expenses Requested	\$ <u>0.00</u>
Total	\$ <u>540.00</u>

*"Bankruptcy Code" and "11 U.S.C." refer to the United States Bankruptcy Code, Title 11 of the United States Code.
"FRBP" refers to the Federal Rules of Bankruptcy Procedure. "LBR" and "LBRs" refer to the Local Bankruptcy Rule(s) of this court.*

4. Case Status.

- ☒ This Chapter 13 case was dismissed by the order entered as docket number 32.
- ☐ This Chapter 13 case was converted to Chapter by the order entered as docket number .

5. Plan Status.

- ☐ A Chapter 13 Plan was confirmed in this case by the order entered as docket number .
- ☒ A Chapter 13 Plan was not confirmed prior to dismissal or conversion.

6. Property on hand. The Chapter 13 Trustee may possess undistributed property.

7. Claim Prerequisites. This Application satisfies the "Claim Prerequisites" identified in LBR 3015-1(q)(6) because it will be filed and served on the Chapter 13 Trustee, Debtor, and other parties in interest within 14 days of entry of the order dismissing or converting this case.

8. Prior Award for Basic Services.

- ☐ Attorney previously was awarded fees for Basic Services in the amount of \$.
- ☒ Attorney previously has not been awarded fees for Basic Services.

9. Prior Awards for Additional Services.

- ☒ Attorney has not previously applied for Additional Fees in this case.
- ☐ Attorney previously applied for Additional Fees in this case. A total of \$ has been awarded to Attorney for Additional Fees pursuant to its prior requests.
- ☐ One or more applications for Additional Fees in this case are pending. See docket number(s) . A total of \$ in Additional Fees was requested pursuant to those pending applications.

10. Disclosure of Amounts Previously Paid To Attorney. Pursuant to LBR 3015-1(v)(2), Attorney discloses the following amounts paid to date (including prepetition payments) by Debtor or the Chapter 13 Trustee to Attorney and the source of those payments:

Date Received	Amount Received	Source of Payment
12/12/2022	645.00	Debtor
TOTAL	645.00	

11. Amount and Basis for Compensation Requested.

- a. ☒ Basic Services. Applicant requests allowance of fees of \$ 540.00 for Basic Services pursuant to the RARA.

Description of the services provided, the results achieved and the reasonableness of the requested fee in light of the dismissal or conversion of this case (Check here ☐ if an addendum containing additional information is attached.)

Reviewed and consulted financial situation with debtor. Prepare, filed and served Petition and Chapter 13 plan. Represented Debtor at meeting of creditors and numerous confirmations hearings.

- b. ☐ Additional Services—Presumptively Reasonable Fees. Applicant requests allowance of fees of \$ _____ for Additional Services identified in the following table; these amounts are equal to or less than the maximum No Look Fee specified in Section 2.9(b) of the Court Manual for those services.

(If you are requesting fees for more than one instance of the same type of service, you must provide the pertinent details in the "Explanation" box or in an addendum.)

Fee Requested	Maximum No Look Fee	Legal Service	Docket No.
\$	\$750.00	Unopposed motion to extend/impose automatic stay	
\$	\$350.00	Unopposed application for order shortening time	
\$	\$1,250.00	Unopposed motion to avoid lien (11 U.S.C. § 506(a))	
\$	\$1,500.00	Unopposed motion to avoid lien (11 U.S.C. § 506(a)), with stipulation and order	
\$	\$750.00	Unopposed motion to avoid lien (11 U.S.C. § 522(f))	
\$	\$950.00	Unopposed motion to disallow claim	
\$	\$350.00	Opposition to Chapter 13 Trustee's motion to dismiss or convert case	
\$	\$750.00	Unopposed motion to modify plan	
\$	\$750.00	Unopposed motion to refinance/sell real property	
\$	\$750.00	Unopposed motion to incur debt	
\$	\$300.00	Application for order confirming that loan modification discussion does not violate the automatic stay	
\$	\$2,000.00	Complaint to avoid lien	
\$		Total Requested	

- c. ☐ Additional Services—Hourly or Other. Attorney requests allowance of fees of \$_____ for Additional Services on an hourly or other basis, as described below:

(1) Dates during which the Additional Services were provided: from (*dates*) _____ to _____.

(2) Description of the services provided, the results achieved and the reasonableness of the requested hourly fees in light of the dismissal or conversion of this case: (Check here ☐ if an addendum containing additional information is attached.)

(3) Summary of hourly fees requested for the Additional Services.

Name	Attorney or Paralegal?	Hourly Rate	Hours Billed	Total Requested
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
		\$		\$
TOTAL				

(4) A billing statement is attached as Exhibit A, identifying each service performed, the service provider, the date rendered, the time spent, and the amount billed (*required*).

(5) If fees for the Additional Services are requested other than on an hourly basis, the amount requested and the basis for that request are as follows:

.

- 12. Expenses.** Attorney requests an award of expenses incurred in connection with the Additional Services in the amounts summarized in the following table.

Expense Category	Amount Requested
	\$
	\$
	\$
	\$
	\$
	\$
	\$
TOTAL	\$

Additional Explanation: (Check here ☐ if an addendum containing additional information is attached.)

(Note: If you are requesting allowance of expenses, you must explain above why the requested expenses are extraordinary.)

- 13. Request for Payment.** Pursuant to LBR 3015-1(q)(6), Attorney requests an order directing the Chapter 13 Trustee to disburse to Attorney, to the extent funds are available, the payment of the fees and expenses requested, in addition to any unpaid fees and expenses previously allowed in favor of Attorney in this case.

14. Consent and Declaration of Debtor.

CONSENT AND DECLARATION OF DEBTOR(S)
<p>The undersigned Debtor declares that s/he has reviewed the foregoing Application and consents to approval of payment of the fees and expenses requested by Attorney.</p> <p>Executed this ____ day of <u>April</u>, 20<u>23</u> at (city) <u>Santa Ana</u>, (state) <u>CA</u></p> <p>Signature of Debtor 1: _____</p> <p>Printed name of Debtor 1: <u>Arvin Peter Mani</u></p> <p>Signature of Debtor 2: _____</p> <p>Printed name of Debtor 2: _____</p>

15. Certifications of Counsel.

- a. **No Prior Request.** I certify that Attorney has not previously requested fees or expenses for any of the Additional Services that are the subject of this Application. If I cannot make this certification, I have checked this box ☐ and attached an addendum that discloses the details of that prior request.
- b. **No Debtor Consent and Declaration.** If the Debtor has not executed the Consent and Declaration in Paragraph 13, the reason the Debtor has not done so is as follows:
Debtor was sent the application but has yet to returned a signed copy. Counsel must file before the deadline for submission.
- c. **True and Correct.** I certify that the information contained in and attached to this Application is true and correct.

Date: 5/02/2023

Respectfully submitted,

/s/ Christopher J. Langley
Signature of Attorney for Debtor

Christopher J. Langley
Printed name of Attorney for Debtor

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
4158 14th St.
Riverside, CA 92501

A true and correct copy of the foregoing document entitled (*specify*): **APPLICATION OF ATTORNEY FOR DEBTOR FOR ALLOWANCE OF FEES AND EXPENSES FOLLOWING DISMISSAL OR CONVERSION OF CHAPTER 13 CASE SUBJECT TO A RIGHTS AND RESPONSIBILITIES AGREEMENT (RARA) [11 U.S.C. § 330(a)(4)(B); LBR 3015-1(g)(6)]** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **05/02/2023**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Amrane (SA) Cohen (TR) efile@ch13ac.com
Benjamin Heston bhestonecf@gmail.com, benheston@recap.email, NexusBankruptcy@jubileebk.net
Christina J Khil christinao@mcclaw.org, CACD_ECF@mcclaw.org; mcecfnotices@ecf.courtdrive.com
Christopher J Langley chris@slclawoffice.com,
omar@slclawoffice.com; langleycr75251@notify.bestcase.com; ecf123@casedriver.com
United States Trustee (SA) ustpregion16.sa.ecf@usdoj.gov

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) **05/02/2023**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Arvin Peter Mani
19332 Pitcarn Ln
Huntington Beach, CA 92646

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) **05/02/2023**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

05/02/2023
Date

Vivian Chow
Printed Name

/s/ Vivian Chow
Signature

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address Christopher J. Langley (SBN 258851) Shioda, Langley and Chang, LLP 1063 E. Las Tunas Dr. San Gabriel, CA 91776 Telephone: (951) 383-3388 Fax: (877) 483-4434 chris@slclawoffice.com <input type="checkbox"/> Debtor(s) appearing without an attorney <input checked="" type="checkbox"/> Attorney for: Debtor	FOR COURT USE ONLY
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION	
In re: Arvin Peter Mani	CASE NO.: 8:22-bk-12093-TA CHAPTER: 13
	NOTICE OF OPPORTUNITY TO REQUEST A HEARING ON MOTION [LBR 9013-1(o)]
Debtor(s).	[No hearing unless requested in writing]

TO THE U.S. TRUSTEE AND ALL PARTIES ENTITLED TO NOTICE, PLEASE TAKE NOTICE THAT:

1. Movant(s) Arvin Peter Mani,
filed a motion or application (Motion) entitled Application of Attorney for Debtor For Allowance of Fees and Expenses
Following Dismissal or Conversion of Chapter 13 Case Subject to a RARA (Doc #36).
2. Movant(s) is requesting that the court grant the Motion without a hearing as provided for in LBR 9013-1(o), unless a party in interest timely files and serves a written opposition to the Motion and requests a hearing.
3. The Motion is based upon the legal and factual grounds set forth in the Motion. (*Check appropriate box below*):
☐ The full Motion is attached to this notice; or
☒ The full Motion was filed with the court as docket entry # 36, and a detailed description of the relief sought is attached to this notice.
4. **DEADLINE FOR FILING AND SERVING OPPOSITION PAPERS AND REQUEST FOR A HEARING:** Pursuant to LBR 9013-1(o), any party who opposes the Motion may request a hearing on the Motion. The deadline to file and serve a written opposition and request for a hearing is 14 days after the date of service of this notice, plus 3 additional days if you were served by mail or pursuant to F.R.Civ.P. 5(b)(2)(D) or (F).

- a. If you timely file and serve a written opposition and request for a hearing, movant will file and serve a notice of hearing at least 14 days in advance of the hearing. [LBR 9013-1(o)(4)]
- b. If you fail to comply with this deadline:
 - (1) Movant will file a declaration to indicate: (1) the Motion was properly served, (2) the response period elapsed, and (3) no party filed and served a written opposition and request for a hearing within 14 days after the date of service of the notice [LBR 9013-1(o)(3)];
 - (2) Movant will lodge an order that the court may use to grant the Motion; and
 - (3) The court may treat your failure as a waiver of your right to oppose the Motion and may grant the Motion without further hearing and notice. [LBR 9013-1(h)]

Respectfully submitted,

Date: 5/02/2023

/s/ Christopher J. Langley
Signature of Movant or attorney for Movant

Christopher J. Langley
Printed name of Movant or attorney for Movant

Relief Sought: Counsel is requesting for award of \$540.00 in attorney fees per doc #36.

Label Matrix for local noticing

0973-8

Case 8:22-bk-12093-TA

Central District of California

Santa Ana

Tue May 2 14:11:43 PDT 2023

Santa Ana Division

411 West Fourth Street, Suite 2030,

Santa Ana, CA 92701-4500

Employment Development Dept

Bankruptcy Group MIC 92E

P.O. Box 826880

Sacramento, CA 94280-0001

Franchise Tax Board

Bankruptcy Section MS: A-340

P.O. Box 2952

Sacramento, CA 95812-2952

Chandler Olson

c/o Pourcho Law Group PC

2618 San Miguel Drive Ste 410

Newport Beach, CA 92660-5437

CitiMortgage Inc.

MTC Financial Inc.

17100 Gillette Ave.

Irvine, CA 92614-5603

CitiMortgage, Inc.

c/o Cenlar, FSB, Attn: Bankruptcy Dept.

425 Phillips Blvd.

Ewing, NJ 08618-1430

County of Los Angeles

Dept. of Treasurer & Tax Collector

225 North Hill St. RM 122

PO Box 514818

Los Angeles, CA 90051-4818

County of Orange

P.O. Box 4515

Santa Ana CA 92702-4515

FRANCHISE TAX BOARD

BANKRUPTCY SECTION MS A340

PO BOX 2952

SACRAMENTO CA 95812-2952

Franchise Tax Board

PIT Bankruptcy MS: A-340

PO Box 2952

Sacramento, CA 95812-2952

INTERNAL REVENUE SERVICE

PO BOX 7346

Philadelphia, PA 19101-7346

ORange County Sheriff Office

Sheriff's Civil Division

909 North Main Street Suite 2

CASE NUMBER: 2022501383

Santa Ana, CA 92701-3522

The Joseph A. Mani Trust

19332 Pitcairn Ln.

Huntington Beach, CA 92646-2919

United States Trustee (SA)

411 W Fourth St., Suite 7160

Santa Ana, CA 92701-4500

Amrane (SA) Cohen (TR)

770 The City Drive South Suite 3700

Orange, CA 92868-4928

Arvin Peter Mani

19332 Pitcairn Ln

Huntington Beach, CA 92646-2919

Chandler Olson

100 Bayview Circle, Suite 100

Newport Beach, CA 92660-2963

Christopher J Langley

Shioda Langley & Chang LLP

10600 E. Las Tunas Dr.

San Gabriel, CA 91776-1632

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Cenlar as servicer for CitiMortgage, Inc.

(u)CitiMortgage Inc

End of Label Matrix

Mailable recipients 18

Bypassed recipients 2

Total 20

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
4158 14th St.
Riverside, CA 92501

A true and correct copy of the foregoing document entitled (*specify*): **DECLARATION THAT NO PARTY REQUESTED A HEARING ON MOTION LBR 9013-1(o)(3)** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **05/19/2023**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Amrane (SA) Cohen (TR) efile@ch13ac.com
Benjamin Heston bhestonecf@gmail.com, benheston@recap.email, NexusBankruptcy@jubileebk.net
Christina J Khil christinao@mclaw.org, CACD_ECF@mclaw.org; mcecfnotices@ecf.courtdrive.com
Christopher J Langley chris@slclawoffice.com,
omar@slclawoffice.com; langleycr75251@notify.bestcase.com; ecf123@casedriver.com
United States Trustee (SA) ustpregion16.sa.ecf@usdoj.gov

☐ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL**:

On (*date*) **05/19/2023**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) **05/19/2023**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

05/19/2023

Date

John Martinez

Printed Name

/s/ John Martinez

Signature